

03560.001250.1



9200/3729

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
HIROSHI SUGITANI ET AL.)
Application No.: 09/360,453 ✓)
Filed: July 26, 1999)
For: INK JET HEAD, INK JET)
APPARATUS, AND METHOD)
OF AND APPARATUS FOR)
MANUFACTURING THE HEAD :
Examiner: D. Tugbang
Group Art Unit: 3729
March 8, 2002

Commissioner for Patents
Washington, D.C. 20231

PETITION UNDER 37 C.F.R. § 1.181(a)
TO WITHDRAW HOLDING OF ABANDONMENT
BASED ON NON-RECEIPT OF OFFICE ACTION

Sir:

A Notice of Abandonment issued on February 8, 2002 in the above-identified application, stating that the application has been abandoned because Applicants had not timely filed a reply to an Office letter mailed on May 30, 2001, resetting the period for response of a previous Office Action, which according to the Patent and Trademark Office was mailed on April 5, 2001.

Applicants hereby petition to withdraw the holding of abandonment because Applicants never received the Office Action mailed on April 5, 2001.

In accordance with the requirements of M.P.E.P. § 711.03(c)II., a statement of the undersigned that the Office Action was not received and attesting to the fact that a search of the

file jacket and docket records indicates that the Office Action was not received, and a copy of the docket records where the non-received Office Action would have been entered had it been received and docketed, are submitted herewith.

In addition, the undersigned has contacted the firm's docketing clerk, Howard S. Greenberg, in the firm's New York office to determine whether the April 5, 2001 Office Action was received from the Patent and Trademark Office. Mr. Greenberg has reviewed the firm's docketing records and confirms that the Office Action was not received. A Declaration by Howard S. Greenberg is also submitted herewith.

The Commissioner is hereby authorized to charge Deposit Account No. 06-1205 for any fee that may be associated with the filing of this paper.

Applicants' undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our below listed address.

Respectfully submitted,


Attorney for Applicants

Registration No. 28 286

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-3801
Facsimile: (212) 218-2200

Date: 04/24/01
Time: 13:44:30

Master Docket
From 05/02/01 to 05/22/01

Page: 23

Due Date	Action Required	Atty Case Number	Ctry	Client	Appln Number/ Inventors
-------------	--------------------	---------------------	------	--------	----------------------------

[REDACTED]

[REDACTED]

~~05/04/01 RESP~~

[REDACTED]

~~05/04/01 RESP 02-1X~~

~~08/6450~~

05/05/01 Status Ck

09/4344

Date: 04/24/01
Time: 13:44:31

Master Docket
From 05/02/01 to 05/22/01

Page: 24

Due Date	Action Required	Atty Case Number	Ctry	Client	Appln Number/ Inventors
-------------	--------------------	---------------------	------	--------	----------------------------

05/05/01 Status Ck

09/4347

05/05/01 CERT/STAT+102

5517

05/05/01 Status Ck

09/4350

05/05/01 CERT/STAT +42

08/2659

05/05/01 Status Ck

09/4342

05/05/01 Status Ck

09/4342

05/05/01 Status Ck

09/4343

05/05/01 CERT/STAT +6

08/5345

Date: 04/24/01
Time: 13:44:32

Master Docket
From 05/02/01 to 05/22/01

Page: 25

Due Date	Action Required	Atty Case Number	Ctry	Client	Appln Number/ Inventors
05/05/01	Status Ck				09/4344
05/05/01	Status Ck				09/4342
05/05/01	INFO DISCL				09/7755
05/05/01	Info/Disc				09/7755
05/05/01	DECL W/SUR				09/7386
05/05/01	DECL W/SUR				09/1344
05/05/01	DECL W/SUR				09/7172
05/05/01	DECL W/SUR				09/2645
05/05/01	FINAL 2X				09/1574

Date: 04/24/01
Time: 13:44:33

Master Docket
From 05/02/01 to 05/22/01

Page: 26

Due Date	Action Required	Atty Case Number	Ctry Client Appln Number/ Inventors
-------------	--------------------	---------------------	--

~~05/05/01 RESP 01-1X~~

~~08/9973~~

~~05/05/01 RESP 01-1X~~

~~09/5491~~

~~05/05/01 RESP 01-2X~~

~~09/4327~~

~~05/05/01 DECI W/CHP~~

~~09/7582~~

~~05/05/01 RESP 01-2X~~

~~09/4415~~

~~05/05/01 FRML DWGS~~

~~09/4277~~

~~05/05/01 RESP 01-2X~~

~~09/3692~~

~~05/05/01 ST-RE APND/ERR~~

~~08/8200~~

Date: 04/24/01
Time: 13:44:34

Master Docket
From 05/02/01 to 05/22/01

Page: 27

Due Date	Action Required	Atty Case Number	Ctry	Client	Appln Number/ Inventors
-------------	--------------------	---------------------	------	--------	----------------------------

~~05/05/01 ISSUE FEE~~

~~09/1277~~

~~05/05/01 FINAL 12X~~

~~08/9061~~

~~05/05/01 FINAL 12X~~

~~09/0527~~

~~05/05/01 RECD 0A~~

~~09/1276~~

~~05/05/01 FIRM DNGG~~

~~09/0852~~

~~05/05/01 FINAL 2X~~

~~09/1117~~

~~05/05/01 FINAL 12X~~

~~09/1264~~

~~05/05/01 APPEAL \$280~~

~~09/0898~~

Date: 04/24/01
Time: 13:44:34

Master Docket
From 05/02/01 to 05/22/01

Page: 28

Due Date	Action Required	Atty Case Number	Ctry Client Appln Number/ Inventors
-------------	--------------------	---------------------	--

~~05/05/01 ADVSKI P\$280~~

~~09/0906~~

~~05/05/01 ISSUE FEE~~

~~08/9853~~

~~05/05/01 BRIEF 1X~~

~~09/0045~~

~~05/05/01 RESP DUE~~

~~09/0636~~

~~05/05/01 RESP OA 2X~~

~~09/0132~~

~~05/05/01 BRIEF 1X~~

~~08/9825~~

~~05/05/01 RESP OA 2X~~

~~08/7405~~

~~05/05/01 RESP OA 2X~~

~~08/9905~~

Date: 04/24/01
Time: 13:44:35

Master Docket
From 05/02/01 to 05/22/01

Page: 29

Due Date	Action Required	Atty Case Number	Ctry Client Appln Number/ Inventors
-------------	--------------------	---------------------	--

~~05/05/01 RESP OA 2X~~

~~08/8013~~

~~05/05/01 FINAL OA~~

~~09/0258~~

~~05/05/01 RESP OA 2X~~

~~08/0272~~

~~05/05/01 RESP OA 2X~~

~~09/1915~~

~~05/05/01 RESP OA 2X~~

~~09/2481~~

~~05/05/01 RESP OA 2X~~

~~09/4521~~

~~05/05/01 RESP OA 2X~~

~~08/9507~~

~~05/05/01 FINAL 2X~~

~~09/2381~~

~~05/05/01 RESP OA~~

~~09/0532~~

Date: 04/24/01
Time: 13:44:36

Master Docket
From 05/02/01 to 05/22/01

Page: 30

Due Date	Action Required	Atty Case Number	Ctry Client Appln Number/ Inventors
-------------	--------------------	---------------------	--

05/05/01 DWG CORR

09/1915

~~05/05/01 FINAL GA~~

~~09/04991~~

~~05/05/01 FINAL 1X~~

~~08/9548~~

~~05/05/01 EXHIBIT 1X~~

~~08/6808~~

~~05/05/01 FINAL 1X~~

~~09/2327~~

05/05/01 DWG CORR

09/2327

~~05/05/01 RESP GA 2X~~

~~08/6891~~

~~05/05/01 RESP GA~~

~~08/6891~~

~~05/05/01 RESP GA~~

~~08/8342~~

Date: 04/24/01

Time: 13:44:36

Master Docket

From 05/02/01 to 05/22/01

Page: 31

Due Date	Action Required	Atty Case Number	Ctry Client Appln Number/ Inventors
-------------	--------------------	---------------------	--

05/05/01 FINAL +2X

08/3664

05/05/01 FINAL +2X

08/4196

05/05/01 BRIEF +2X

08/0070

05/05/01 #POS DIV ST+1#

08/7365

05/06/01 NEW OA ST

08/8705

05/06/01 ORIG STAT

09/0078

05/06/01 ORIG LP STAT+1